

REMARKS

In the Office Action mailed April 12, 2007, the Examiner rejected claims 39-40 under 35 U.S.C. § 112, second paragraph, as being indefinite; rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,913,590 to Sorenson et al. ("Sorenson"); rejected claim 32 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,298,358 to Ruschke ("Ruschke"); rejected claims 1-14, 16, 18-19, 26, 28-31, 33, and 35-38 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of U.S. Patent No. 6,887,214 to Levin et al. ("Levin"); rejected claims 15 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of Levin and further in view of U.S. Patent No. 5,439,587 to Stankowski et al. ("Stankowski"); rejected claims 20-25 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of Levin and further in view of U.S. Patent No. 4,310,017 to Raines ("Raines"); rejected claim 27 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of Levin and further in view of U.S. Patent No. 4,341,538 to Vadnay et al. ("Vadnay"); and rejected claim 34 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of Vadnay.

By this Amendment, claims 1, 3, 5, 9, 11-33, and 35 have been amended, claims 41-45 have been added, and claims 2, 4, 6-8, and 39-40 have been canceled. Accordingly, claims 1, 3, 5, 9, 11-38, and 41-45 are currently pending in this application. No new matter is added by this Amendment.

Claim 1 has been amended to include subject matter previously claimed in dependent claims 2, 4, 6, 7, 8, 10, and 11. Claim 1 has also been amended to recite, among other things, a support element having "a rigid cross-piece for rigidly connecting the lateral portions . . . [a] first length of tubing being configured to interact with

movement means . . . [and a] fluid separator comprising a containing body . . . [having] a base [with a] first tubular connecting element for receiving a first end of said first length of tubing.” Support for these limitations can be found in the specification, for example, at page 9 lines 7-14, page 8, lines 17-19, and page 10, lines 6-10.

Applicants respectfully traverse the Examiner’s rejection of claims 39-40 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out what is included or excluded by the claim language. While Applicants do not agree with the Examiner’s characterization of these claims, Applicants submit that the § 112 rejection of claims 39-40 has been rendered moot by the cancellation of these claims. Thus, Applicants respectfully ask the Examiner to withdraw this rejection.

Applicants respectfully traverse the Examiner’s rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by Sorenson. Sorenson does not disclose each and every element of amended claim 1. The Examiner contends that Sorenson discloses a “rigid cross-piece 10, 20 for connecting the lateral portions.” (Office Action at 2.) Applicants disagree. The alleged “lateral portions” depicted in Fig. 1 of Sorenson, for example, are connected by resilient tubing 35 and not by a rigid cross-piece, as recited in amended claim 1. (See also col. 6, lines 6-11.) Thus, Sorenson does not disclose a “rigid cross-piece for rigidly connecting the lateral portions,” (emphasis added), as recited in amended claim 1. Accordingly, for at least this reason, amended claim 1 is allowable over Sorenson. Applicants further point out that Sorenson also does not disclose the limitations added to claim 1 by amendment in this Reply.

Applicants also traverse the Examiner’s rejection of claim 32 under 35 U.S.C. § 102(b) as being anticipated by Ruschke. Ruschke does not disclose each and every

element of amended claim 32. The Examiner contends that Ruschke discloses “a gas-liquid separator, comprising: a containing body 10 having at least on inlet 20 . . . and at least a first outlet 22 . . . said containing body affording internally thereof a fluid passage 28, Fig. 1.” (Office Action at 3.) Ruschke does not, however, disclose a “containing body comprising a base and a cover portion, interacting with each other to form a fluid passage between said inlet and said first and second outlets, the first outlet being arranged at an end of an outlet conduit solidly associated to said cover portion; said cover portion comprising an incorporated tubular connecting element of the removable type, said tubular connecting element being coupled to said outlet conduit,” as recited in amended claim 32. Ruschke also does not disclose “at least one check valve predisposed along a pathway of said liquid portion . . . said check valve comprising a mobile obturator organ, which operates on a passage mouth of said downstream portion; said passage mouth being associated with said cover portion of said containing body,” as recited in amended claim 32. Accordingly, for at least these reasons, amended claim 32 is allowable over Ruschke.

Applicants respectfully traverse the Examiner’s rejection of claims 1-14, 16, 18-19, 26, 28-31, 33, and 35-38 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of Levin. Ruschke and Levin fail to disclose or suggest each and every element of amended independent claim 1. The Examiner’s rejection of these claims based on the teachings of Ruschke in view of Levin is somewhat vague because the alleged support from the two references for the claim rejections are not applied to the claims together. Nevertheless, the Examiner has conceded that Ruschke “does not directly show a support element.” (Office Action at 4.) The Examiner contends that

Levin teaches “a first and a second lateral portion designed to hold corresponding portions of the transport line to delimit at least a first length of tubing **121**.” (Id.) The Examiner further contends that in Levin “[t]he first length of tubing **121** has a curved shape **See Figs. 5, 6** and the body of the filter, the rigid cross-piece and the second lateral portion are made in a single piece with the cross-piece and tubing being parallel **See Figs. 5, 6.**” (Id.) The Examiner has not identified, and it is unclear, which elements in Figs. 5, 6 of Levin the Examiner considers to be “first and second lateral portions,” nor is it clear which element the Examiner contends is the “rigid cross-piece.”

Regardless, Applicants respectfully submit that Ruschke and Levin do not teach a fluid transport line having “a support element comprising a first and a second lateral portion and a rigid cross-piece for rigidly connecting the lateral portions . . . wherein the first lateral portion incorporates a fluid separator. . . [having] a containing body . . . [that] incorporate[s a] first tubular connecting element for receiving a first end of said first length of tubing [configured to interact with movement means] . . . [and wherein] the second lateral portion has a tubular profile and receives a second end of said first length of tubing and one end of said second length of tubing,” as recited in amended claim 1. Applicants point out that Levin fails to disclose a second lateral portion defining a tubular profile that receives two ends of two different lengths of tubing, one of which is configured to interact with movement means. In fact, tubing loop 121 in Levin is received by a non-tubular seat at one end (see Figs. 5, 6). Accordingly, amended claim 1 is allowable over Ruschke in view of Levin. Thus, claims 3, 5, 9, 11-14, 16, 18, 19, 26, and 28-31 are allowable at least due to their dependence from allowable amended claim 1.

Ruschke and Levin also do not teach each and every element of amended independent claim 32. As discussed above, amended claim 32 is allowable over Ruschke. Applicants submit that Levin fails to cure the above-mentioned deficiencies of Ruschke. Accordingly, amended claim 32 is allowable over Ruschke in view of Levin. Thus, claims 33 and 35-38 are allowable at least due to their dependence from allowable claim 32.

Applicants respectfully traverse the Examiner's rejection of claims 15 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of Levin and further in view of Stankowski. As discussed above, Ruschke and Levin fail to disclose or suggest each and every element of independent amended claim 1. The Examiner contends that Stankowski "teaches projections emerging from the cover portion to guide the flow of liquid towards the first outlet." (Office Action at 9.) Stankowski, however, does not cure the above-mentioned deficiencies of Ruschke in view of Levin. Thus, amended claim 1 is allowable over the applied references. Accordingly, claims 15 and 17 are allowable over the applied references at least due to their dependence from allowable amended claim 1.

Applicants also respectfully traverse the Examiner's rejection of claims 20-25 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of Levin and further in view of Raines. As discussed above, Ruschke and Levin fail to disclose or suggest each and every element of independent claim 1. The Examiner contends that Raines "teaches a check valve 20 for use with IV administration sets." (Office Action at 9.) Raines, however, does not cure the above-mentioned deficiencies of Ruschke in view of Levin. Thus, amended claim 1 is allowable over the applied references.

Accordingly, claims 20-25 are allowable over the applied references at least due to their dependence from allowable amended claim 1.

Applicants also respectfully traverse the Examiner's rejection of claim 27 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of Levin and further in view of Vadnay. As discussed above, Ruschke and Levin fail to disclose or suggest each and every element of independent claim 1. The Examiner contends that Vadnay "teaches a passage which increases in a direction towards the hydrophobic membrane" (Office Action at 10.) Vadnay, however, does not cure the above-mentioned deficiencies of Ruschke in view of Levin. Thus, amended claim 1 is allowable over the applied references. Accordingly, claim 27 is allowable over the applied references at least due to its dependence from allowable amended claim 1.

Applicants also respectfully traverse the Examiner's rejection of claim 34 under 35 U.S.C. § 103(a) as being unpatentable over Ruschke in view of Vadnay. As discussed above, Ruschke fails to disclose or suggest each and every element of amended independent claim 32. The Examiner contends that Vadnay "teaches a passage which increases in a direction towards the hydrophobic membrane" (Office Action at 10.) Vadnay, however, does not cure the above-mentioned deficiencies of Ruschke. Thus, amended claim 32 is allowable over the applied references. Accordingly, claim 34 is allowable over the applied references at least due to its dependence from allowable amended claim 32.

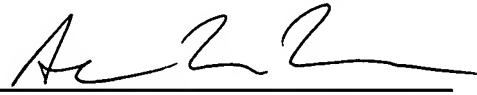
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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